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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/031,026	01/14/2002	Eiki Matsuo	B-4460PCT 619454-8	4452
759	00 04/22/2003			
Ladas & Parry			EXAMINE	INER
• • • • • • • • • • • • •	oulevard Suite 2100		STULTZ, J	ESSICA T
Los Angeles, CA 90036-5679				
			ART UNIT	PAPER NUMBER
			2873	
			DATE MAILED: 04/22/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

	A Page 17	Mr.		
*	Application No.	Applicant(s)		
Office Action Summan	10/031,026	MATSUO, EIKI		
Office Action Summary	Examiner	Art Unit		
	Jessica T Stultz	2873		
The MAILING DATE of this communicate Period for Reply	ion appears on the cover sheet t	with the correspondence address		
A SHORTENED STATUTORY PERIOD FOR THE MAILING DATE OF THIS COMMUNICA  - Extensions of time may be available under the provisions of 37 after SIX (6) MONTHS from the mailing date of this communic.  - If the period for reply specified above is less than thirty (30) da  - If NO period for reply is specified above, the maximum statutor.  - Failure to reply within the set or extended period for reply will,  - Any reply received by the Office later than three months after the earned patent term adjustment. See 37 CFR 1.704(b).  Status	TION. 7 CFR 1.136(a). In no event, however, may a ation. ys, a reply within the statutory minimum of the process of the statutory with a polyment of the process of the statute. Cause the application to become a statute.	a reply be timely filed  irty (30) days will be considered timely.  NTHS from the mailing date of this communication.		
1) Responsive to communication(s) filed	on .			
_	─────────────────────────────────────			
3) Since this application is in condition for closed in accordance with the practice Disposition of Claims	allowance except for formal ma	atters, prosecution as to the merits is .D. 11, 453 O.G. 213.		
4) Claim(s) 1-14 is/are pending in the app	lication.			
4a) Of the above claim(s) is/are w	rithdrawn from consideration.			
5) Claim(s) is/are allowed.				
6)⊠ Claim(s) <u>1-14</u> is/are rejected.				
7) Claim(s) is/are objected to.				
8) Claim(s) are subject to restriction	and/or election requirement.			
Application Papers				
9)☐ The specification is objected to by the Ex	aminer.			
10)⊠ The drawing(s) filed on <u>14 January 2002</u>	is/are: a)∏ accepted or b)⊠ obj	ected to by the Examiner.		
Applicant may not request that any objection	n to the drawing(s) be held in abey	vance. See 37 CFR 1.85(a).		
11) The proposed drawing correction filed on	is: a) approved b)	disapproved by the Examiner.		
If approved, corrected drawings are require	d in reply to this Office action.			
12)☐ The oath or declaration is objected to by t	the Examiner.			
Priority under 35 U.S.C. §§ 119 and 120				
13) Acknowledgment is made of a claim for t	foreign priority under 35 U.S.C.	§ 119(a)-(d) or (f).		
a)⊠ All b)□ Some * c)□ None of:				
1. Certified copies of the priority docu	uments have been received.			
2. Certified copies of the priority documents have been received in Application No				
<ol> <li>Copies of the certified copies of the application from the Internation</li> <li>See the attached detailed Office action for</li> </ol>	nal Bureau (PCT Rule 17.2(a)).	_		
14) Acknowledgment is made of a claim for do	mestic priority under 35 U.S.C.	§ 119(e) (to a provisional application).		
a) ☐ The translation of the foreign langua 15)⊠ Acknowledgment is made of a claim for do	ge provisional application has b	een received.		
Attachment(s)	•			
<ol> <li>Notice of References Cited (PTO-892)</li> <li>Notice of Draftsperson's Patent Drawing Review (PTO-943)</li> <li>Information Disclosure Statement(s) (PTO-1449) Paper No.</li> </ol>	18) 5) Notice of	Summary (PTO-413) Paper No(s) Informal Patent Application (PTO-152)		
J.S. Patent and Trademark Office PTO-326 (Rev. 04-01) Of	fice Action Summary	Part of Paper No. 8		

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## **DETAILED ACTION**

## **Drawings**

Figures 24-46 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

## Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1 and 2 (and therefore dependent claims 3-14) are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Specifically regarding claims 1 and 2, the distances L1, L2, L11, L21, L1n, and L2n are not clearly defined by the specification or the drawings. Regarding the definitions of the distances L1 and L2, the specification and drawings do not clearly define where the measurements of these distances are taken "from and to" and along which axis the measurements are taken. It is also unclear as to where the distances of the "longest" and "shortest" distances along the reference axis of the first optical system are taken "from and to" in these definitions. Regarding the definitions of L11, L21, L1n, and L2n, the specification and drawings do not clearly define where the measurements of distance are taken "from and to" and along which axis the measurements are taken.

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Claims 3-14 are rejected because they inherit the indefiniteness of the claims from which

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they depend.

Examiner's Comment

A proper search could not be made to determine the patentability of the invention, since

the subject matter in the independent claim was unclear to the examiner and an assumed meaning

could not be determined.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jessica T Stultz whose telephone number is (703) 305-6106. The

examiner can normally be reached on M-Th 7:30-5, and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Georgia Epps can be reached on 703-308-4883. The fax phone numbers for the

organization where this application or proceeding is assigned are 703-308-7722 for regular

communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-308-0956.

Jessica Stultz

April 14, 2003

Jessin the

Supervisory Patent Examiner

Technology Center 2800